

**From:** [Erika Pichardo](#)  
**To:** [REDACTED]  
**Cc:** [Julie Rendelman](#)  
**Subject:** Re: Update on Appeal  
**Date:** Wednesday, February 8, 2023 11:31:10 AM

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Hi [REDACTED]

I have submitted all statements to the Appeal Panel so they are able to reconvene and make their determination. I will be in touch once I have an update.

Respectfully,  
Erika

On Tue, Feb 7, 2023 at 11:50 AM [REDACTED] > wrote:  
Thank you Erika,

[REDACTED]  
On Mon, Feb 6, 2023 at 11:01 AM Erika Pichardo <[epichardo03@manhattan.edu](mailto:epichardo03@manhattan.edu)> wrote:

[REDACTED]  
I have received your response and will add it to the Appeal documents. I will be in touch once the deadline for the statements is reached to inform once the Appeal Panel has received the documents so they can reconvene. Should you have any questions, please do not hesitate to contact me.

Respectfully,  
Erika

On Mon, Feb 6, 2023 at 10:49 AM [REDACTED] > wrote:  
Hi Erika,

Attached is our Appeal Response. One you know how things will proceed, please let us know.

Sincerely,  
[REDACTED]

On Mon, Feb 6, 2023 at 8:50 AM Erika Pichardo <[epichardo03@manhattan.edu](mailto:epichardo03@manhattan.edu)> wrote:

Hi [REDACTED]

I hope this email finds you well. I am sending a follow-up as tomorrow is the deadline to submit any statements. As a reminder:

1. Both parties will have until February 7, 2023 to submit written statements to the Appeal Panel regarding the portions of the Respondent's appeal where the Appeals Panel found that there were grounds for appeal (Points I.C, I.D, and III). These statements will be limited to addressing

the issues raised in those portions of the Respondent's filed appeal; the parties may support or challenge the original decisions and/or actions raised in those portions of Respondent's appeal. These statements **should not** address or reference aspects of the Respondent's Appeal that the Appeal Panel found did not have grounds for appeal. These statements also **should not** include additional appeals, since the time to file an appeal has expired.

2. The Appeals Panel will reconvene and be provided with the additional statements, if any, submitted by the parties.
3. The Appeals Panel will issue a new decision on these portions of the Respondent's appeal that includes the outcome of the appeal (i.e., whether the appeal is granted or denied and, if applicable, what happens next).

Please let me know if you have any questions.

Respectfully,  
Erika

On Tue, Jan 31, 2023 at 3:46 PM Erika Pichardo <[epichardo03@manhattan.edu](mailto:epichardo03@manhattan.edu)> wrote:

Dear [REDACTED]

I am writing to you regarding the Title IX/Sexual Misconduct matter involving [REDACTED] ("Respondent") and [REDACTED] ("Complainant"). As you know, on January 18, 2023, the Appeals Panel issued a decision regarding Respondent's appeal; that decision found that the Respondent had grounds to appeal on the following three grounds:

1. Point I.C – Title IX Coordinator's Actions at the End of the Hearing Proceedings Prejudiced the Hearing Panel's Decision-Making Process
2. Point I.D - Manhattan College Failed to Provide Respondent with an Opportunity to Submit an Impact Statement for the Hearing Officer(s)' Consideration Regarding Sanctions
3. Point III - The Sanctions Imposed are Excessive in Light of the Nature of the Offense

Both parties subsequently reached out to me because the decision issued by the Appeal Panel on January 18, 2023 did not address the outcome of the appeal (meaning what happens as a result of the Appeal Panel's decision). The Appeal Panel has agreed to reconvene on this matter in order to issue a new decision that includes the Appeal Panel's decision regarding the outcome of the appeal.

The process will be as follows:

1. Both parties will have until February 7, 2023 to submit written statements to the Appeal Panel regarding the portions of the Respondent's appeal where the Appeals Panel found that there were grounds for appeal (Points I.C, I.D, and III). These statements will be limited to addressing the issues raised in those portions of the Respondent's filed appeal (attached to this email); the parties may support or challenge the original decisions and/or actions raised in those portions of Respondent's appeal. These statements **should not** address or reference aspects of the Respondent's Appeal that the Appeal Panel found did not have grounds for appeal. These statements also **should not** include additional appeals, since the time to file an appeal has expired.
2. The Appeals Panel will reconvene and be provided with the additional statements, if any, submitted by the parties.
3. The Appeals Panel will issue a new decision on these portions of the Respondent's appeal that includes the outcome of the appeal (i.e., whether the appeal is granted or denied and, if applicable, what happens next).

Please let me know if you have any questions.

Respectfully,  
Erika

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Erika J. Pichardo, Ph.D.

(she/hers/her)

*Title IX Officer*



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Erika J. Pichardo, Ph.D.

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